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The undersigned, duly authorized thereto by their respective Governments, hereby declare as follows:

The French, Russian, and British Governments mutually engage not to conclude peace separately during the present war.

The three Governments agree that when terms of peace come to be discussed no one of the Allies will demand conditions of peace without the previous agreement of each of the other Allies.

In faith whereof the undersigned have signed this Declaration and have affixed thereto their seals.

Done at London, in triplicate, this 5th day of September, 1914.

(L. S.) PAUL CAMBON,  
*Ambassador Extraordinary  
and Plenipotentiary of the  
French Republic.*

(L. S.) BENCKENDORFF,  
*Ambassador Extraordinary  
and Plenipotentiary of  
His Majesty the Emperor  
of Russia.*

(L. S.) E. GREY,  
*His Britannic Majesty's  
Secretary of State for For-  
eign Affairs*

In reply, I have the honor to acquaint your excellencies that the Imperial Japanese Government have authorized me to inform you of their full and complete adherence to the terms of this Declaration.

I have, &c.

K. INOUE.

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CONVENTION BETWEEN THE UNITED KINGDOM AND FRANCE RELATING  
TO PRIZES CAPTURED DURING THE PRESENT EUROPEAN WAR <sup>1</sup>

*Signed at London, November 9, 1914; ratifications exchanged December 21,  
1914*

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and the President of the French Republic, being desirous to determine the jurisdiction to which the adjudication of joint captures which may be made during the course of the present war by the naval forces of the allied countries shall belong, or of captures which may be made of

<sup>1</sup> Great Britain, Treaty Series, 1915, No. 2.

merchant vessels belonging to nationals of one of the countries by the cruisers of the other; and being desirous to regulate at the same time the mode of distribution of the proceeds of joint captures, have named as their plenipotentiaries for that purpose, that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India: The Right Honorable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the French Republic: His Excellency M. Paul Cambon, Ambassador of the French Republic at London;

Who, having reciprocally communicated their full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE 1

The adjudication of neutral or enemy prizes shall belong to the jurisdiction of the country of the capturing vessel, without distinguishing whether that vessel was placed under the orders of the naval authorities of one or other of the allied countries.

#### ARTICLE 2

In case of the capture of a merchant vessel of one of the allied countries, the adjudication of such capture shall always belong to the jurisdiction of the country of the captured vessel. In such case the cargo shall be dealt with, as to the jurisdiction, in the same manner as the vessel.

When a merchant vessel of one of the allied countries, whose original destination was an enemy port, and which is carrying an enemy or neutral cargo liable to capture, has entered a port of one of the allied countries, the prize jurisdiction of that country is competent to pronounce the condemnation of the cargo. In such case the value of the goods, after deducting the necessary expenses, shall be placed to the credit of the Government of the allied country whose flag the merchant vessel flies.

#### ARTICLE 3

When a joint capture shall be made by the naval forces of the allied countries, the adjudication thereof shall belong to the jurisdiction of the country whose flag shall have been borne by the officer having the superior command in the action.

## ARTICLE 4

When a capture shall be made by a cruiser of one of the allied nations in the presence and in the sight of a cruiser of the other, such cruiser having thus contributed to the intimidation of the enemy and encouragement of the captor, the adjudication thereof shall belong to the jurisdiction of the actual captor.

## ARTICLE 5

In case of condemnation under the circumstances described in the preceding articles:

1. If the capture shall have been made by vessels of the allied nations whilst acting in conjunction, the net proceeds of the prize, after deducting the necessary expenses, shall be divided into as many shares as there were men on board the capturing vessels, without reference to rank, and the shares of each ally as so ascertained shall be paid and delivered to such person as may be duly authorized on behalf of the allied Government to receive the same; and the allocation of the amount belonging to each vessel shall be made by each Government according to the laws and regulations of the country.

2. If the capture shall have been made by cruisers of one of the allied nations in the presence and in sight of a cruiser of the other, the division, the payment, and the allocation of the net proceeds of the prize, after deducting the necessary expenses, shall likewise be made in the manner above mentioned.

3. If, in accordance with Article 2, paragraph 1, a capture, made by a cruiser of one of the allied countries, shall have been adjudicated by the courts of the other, the net proceeds of the prize, after deducting the necessary expenses, shall be made over in the same manner to the Government of the captor, to be distributed according to its laws and regulations.

## ARTICLE 6

The commanders of the vessels of war of the allied countries shall, with regard to the sending in and delivering up of prizes, conform to the instructions which are annexed to the present convention, and which the two Governments reserve to themselves the right to modify by common consent, if it should become necessary.

## ARTICLE 7

When, with a view to the execution of the present convention, it shall become necessary to proceed to the valuation of a captured vessel of war, the calculation shall be according to the real value of the same; and the allied Government shall be entitled to delegate one or more competent officers to assist in the valuation. In case of disagreement, it shall be decided by lot which officer shall have the casting voice.

## ARTICLE 8

The present convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible.

## ARTICLE 9

The non-signatory allied Powers shall be invited to accede to the present convention.

A Power which desires to accede shall notify its intention in writing to the Government of His Britannic Majesty, who shall immediately forward to the Government of the French Republic a duly certified copy of the notification.

In witness whereof the respective plenipotentiaries have signed the present convention, and have affixed thereto the seals of their arms.

Done at London, in duplicate, the 9th day of November, 1914.

(L. S.) E. GREY.

(L. S.) PAUL CAMBON.

## ANNEX

*Instructions to the Commanders of Ships of War of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the French Republic*

You will find enclosed a copy of a convention which was signed on the 9th November, 1914, between His Majesty the King of the United Kingdom of Great Britain and Ireland and the President of the French Republic, regulating the jurisdiction to which shall belong the adjudication of the captures made by the allied naval forces, or of the captures of merchant vessels belonging to the nationals of either of the two coun-

tries which shall be made by the cruisers of the other, as likewise the mode of distribution of the proceeds of such joint captures.

In order to ensure the execution of this convention, you will conform yourself to the following instructions:

#### ARTICLE 1

Whenever, in consequence of a joint action, you are required to draw up the report or *procès-verbal* of a capture, you will take care to specify, with exactness, the names of the ships of war present during the action, as well as the names of their commanding officers, and, as far as possible, the number of men embarked on board those ships at the commencement of the action, without distinction of rank.

You will deliver a copy of that report or *procès-verbal* to the officer of the allied Power who shall have had the superior command during the action, and you will conform yourself to the instructions of that officer, as far as relates to the measures to be taken for the conduct and the adjudication of the joint captures so made under his command.

If the action has been commanded by an officer of your nation, you will conform yourself to the regulations of your own country, and you will confine yourself to handing over to the highest officer in rank of the allied Power who was present during the action, a certified copy of the report or of the *procès-verbal* which you shall have drawn up.

#### ARTICLE 2

When you shall have effected a capture in presence and in sight of an allied ship of war, you will mention exactly, in the report which you will draw up when the capture is a ship of war, and in the report or *procès-verbal* of the capture when the prize is a merchant vessel, the number of men on board your ship at the commencement of the action, without distinction of rank, as well as the name of the allied ship of war which was in sight, and, if possible, the number of men embarked on board that ship, likewise without distinction of rank. You will deliver a certified copy of your report, or *procès-verbal*, to the commander of that ship.

#### ARTICLE 3

Whenever, in the case of a violation of a blockade, of the transport of contraband articles, of land or sea troops of the enemy, or of official despatches from or for the enemy, you will find yourself under the

necessity of stopping and seizing a merchant vessel of the allied nation, you will take care—

1. To draw up a report (or *procès-verbal*), stating the place, the date, and the motive of the arrest, the name of the vessel, that of the captain, the number of the crew; and containing besides an exact description of the state of the vessel and her cargo;

2. To collect and place in a sealed packet, after having made an inventory of them, all the ship's papers, such as registers, passports, charter-parties, bills of lading, invoices, and other documents calculated to prove the nature and the ownership of the vessel and of her cargo;

3. To place seals upon the hatches;

4. To place on board an officer, with such number of men as you may deem advisable, to take charge of the vessel, and to ensure its safe conduct;

5. To send the vessel to the nearest port belonging to the Power whose flag it carried;

6. To deliver up the vessel to the authorities of the port to which you shall have taken her, together with a duplicate of the report (or *procès-verbal*), and of the inventory above mentioned, and with the sealed packet containing the ship's papers.

#### ARTICLE 4

The officer who conducts the captured vessel will procure a receipt proving his having delivered her up, as well as his having delivered the sealed packet and the duplicate of the report (or *procès-verbal*) and of the inventory above mentioned.

#### ARTICLE 5

In case of distress, if the captured vessel is not in a fit state to continue its voyage, or in case the distance should be too great, the officer charged to conduct to a port of the allied Power a prize made on the merchant service of that Power, may enter a port of his own country, and he will deliver his prize to the local authority without prejudice to the ulterior measures to be taken for the adjudication of the prize. He will take care, in that case, that the report or *procès-verbal*, and the inventory which he shall have drawn up, as well as the sealed packet containing the ship's papers, be sent exactly to the proper court of adjudication.

E. GREY.

PAUL CAMBON.